

LOWER PAXTON TOWNSHIP
BOARD OF SUPERVISORS

Minutes of Board Meeting held July 5, 2005

A regular meeting of the Board of Supervisors of Lower Paxton Township was called to order at 7:35 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were William C. Seeds, Sr., Gary A. Crissman, and David B. Blain.

Also present were George Wolfe, Township Manager; Steven A. Stine, Township Solicitor; Lori Wissler, Planning and Zoning Officer; and Dianne Moran, Planning and Zoning Officer.

Pledge of Allegiance

Mr. Seeds led the Pledge of Allegiance.

Approval of Minutes of April 19, 2005 and May 3, 2005

Mr. Crissman made a motion to approve the minutes of the April 19, 2005 Joint Workshop meeting of the Board of Supervisors and the Planning Commission, and the May 3, 2005 Joint Workshop meeting of the Board of Supervisors and the Planning Commission as presented. Mr. Blain seconded the motion and a unanimous vote followed.

Public Comment

Ms. Leslie Carricato of 2138 Sycamore Drive questioned why Ordinance 05-12, which rezoned certain addressed properties between 4309 and 4431 Linglestown Road from Research Office (R-O) to General Commercial (C-1) was removed from the meeting agenda. Mr. Hawk answered that it was removed at the request of the applicant.

Chairman and Board Members' Comments

Mr. Hawk recognized Sam Short, a member of Boy Scout Troup 11 of the United Church of God on Fairmont Drive, who was in the audience. He explained that he was attending the meeting as a requirement to earn his Communications badge. Mr. Hawk congratulated Mr. Short for working hard to achieve his goals as a Boy Scout.

Mr. Blain noted that he wanted to provide an update to the Board of Supervisors on the newly established Audit Committee. He noted that the Committee has met three times, and is in the process of working on the documentation of controls within the Township. He noted that the Committee would focus on developing a Mission Statement as well as the Goals and Objectives for the Committee.

Oath of Office to a Police Officer

Mr. Hawk gave a brief summary of Nathan Larsen's background, and noted that he was an Eagle Scout. Mr. Hawk administered the oath of office for police officer to Mr. Larsen.

Manager's Report on Township Activities

Mr. Wolfe announced that the fireworks display would be held, this evening, at Koons Park. The fireworks were to start at 9:30 p.m., and the public was invited to attend the event

Old Business

There was no old business.

New Business

Resolution 05-26; Applying to the MPOETC for funding for Officer Nathan Larsen to attend Act 120 training

Mr. Hawk noted that this resolution authorized the submission of an application to train the newly-hired police officer, and to seek partial reimbursement for this training.

Mr. Wolfe stated that, as required by PA Act 120, all officers must complete the required training prior to taking on the duties of a police officer in the Commonwealth of Pennsylvania.

Mr. Wolfe noted that this authorized the payment of the tuition for Officer Larsen while attending the Police Academy at Harrisburg Area Community College.

Mr. Crissman made a motion to adopt Resolution 05-26, authorizing the submission of the application for the above-named police officer for participation in the Municipal Police Officer's Training Program. Mr. Blain seconded the motion, and a unanimous vote followed.

Resolution 05-28; Terminating membership in the Lower Dauphin Intermunicipal Cable Television Cooperative

Mr. Hawk explained that the Board of Supervisors hold membership in the Lower Dauphin Intermunicipal Cable Television Cooperative (LDICTC). However, the Board of Supervisors recently passed a resolution to join the West Shore Council of Governments (COG). He noted that COG offers similar services as the LDICTC.

Mr. Wolfe noted that this resolution would expand upon Resolution 2005-24, which would terminate the Township's membership with the LDICTC. He noted that specific provisions in Article 13 would permit the Township Manager to notify the LDICTC of the Township's withdrawal of membership. He noted that other members of the LDICTC are planning to take similar action too.

Mr. Blain made a motion to adopt Resolution 05-28, which terminates membership in the Lower Dauphin Intermunicipal Cable Television Cooperative. Mr. Crissman seconded the motion, and the motion passed unanimously.

Ordinance 05-12; Rezoning certain addressed properties between 4309 and 4431 Linglestown Road from Research Office (R-O) to General Commercial (C-1)

Mr. Hawk noted that Ordinance 05-12 was removed from the agenda at the request of the applicant.

Action on bids for a sanitary sewer mainline lining in the Spring Creek 1F and 11 mini-basins

Mr. Wolfe explained that bids were opened by staff, and the Authority Engineer for the mainline lining project in the Spring Creek mini-basin. He explained that three bids were received, and the low bid was received by Intercounty Paving Associates, LLC of Hackettstown, New Jersey, with a bid price of \$253,593.50, which was significantly less than the engineer's estimate. He noted that all three bids were lower than the engineer's estimate.

Mr. Wolfe explained that the bids were reviewed by Township staff, and Mr. Stine, and it was determined that the bid submitted by Intercounty Paving Associates, LLC, which is the parent company of New Hope Pipe Liners, LLC, was complete, and should be accepted at this time. He noted that it was staff's recommendation to accept the bid from Intercounty Paving Associates, LLC. He noted that the references for New Hope Pipe Liners, LLC have been reviewed and have been determined to be favorable.

Mr. Crissman made a motion to accept the bid for a sanitary sewer mainline lining in the Spring Creek 1F and 11 mini-basins to Intercounty Paving Associates, LLC of Hackensack, New Jersey, the parent company of New Hope Pipe Liners, LLC in the amount of \$253, 593.50 as presented by Mr. Wolfe. Mr. Blain seconded the motion, and the motion passed unanimously.

Change Order #1 to the contract with Severn Trent for sanitary sewer internal repairs and maintenance

Mr. Wolfe explained that the reason for the change order was due to a decrease in the amount of the contract as a result of removing the air test requirement from the contract with Severn Trent. He noted that it was staff's opinion that, given previous experience with a limited number of failures that have been experienced in the air test process, that spot-check air tests could be performed by staff, and the actual required air test of each individual manhole would not be performed by the contracting, resulting in a contract credit to the Township of \$28,800.00.

Mr. Seeds questioned if staff would perform random checks, and if a problem was found, would the contractor be required to fix the problem. Mr. Wolfe answered that that was correct.

Mr. Hornung noted that this was an example of an aggressive review by the Township staff, and they should be commended for their diligence in finding ways to save the Township money. He noted that members of the Sewer Department have come up with innovative and creative ways to save money, and he wanted to thank the employees responsible. He noted that the taxpayers should be aware that Township staff is frugal in the expenditure of taxpayers money.

Mr. Crissman made a motion to approve Change Order #1 to the contract with Severn Trent for sanitary sewer internal repairs and maintenance, noting a decrease in the amount of \$28,800.00. Mr. Blain seconded the motion, and the motion was approved unanimously.

Change Order #1 to the contract with Wexcom, Inc. for the Nyes Road sanitary sewer pipe relocation project

Mr. Wolfe explained the reason for this change order, which resulted in an increase in the amount of \$3,480.00, was due to the Army Corps of Engineers determination that the relocation work performed by the Township, in accordance with permits issued by the state, was

inappropriately encroaching on wetlands, and had to be relocated. He noted that the project was stopped until the relocation was identified. As a result of this, the contractor provided the Township with a contract increase in the amount of \$3,480.00. It must be noted that this price was negotiated down from the original price of \$4,302.56. Mr. Wolfe noted that it was staff's recommendation that the Board of Supervisors authorize the change order.

Mr. Blain made a motion to approve Change Order #1 to the contract with Wexcom, Inc. for the Nyes Road sanitary sewer pipe relocation project in the increased amount of \$3,480.00. Mr. Crissman seconded the motion, and the motion was approved unanimously.

Subdivision and Land Development

Preliminary/final land development plan for Benjamin Slotznick

Ms. Wissler explained that the purpose of the plan was to subdivide the existing parcel into two proposed lots for title transfer only. There was no proposed development at this time. The tract consists of 25.75 acres and is zoned R-2, Medium Density Residential District, and FL, Flood Plain Conservation District. It is located west of Colonial Road and south of Continental Drive.

Ms. Wissler noted that on June 8, 2005, the Planning Commission recommended approval of the plan, subject to the review comments, and the Planning Commission also recommended approval of the following waivers, which staff supports: the waiver of the requirement to submit a preliminary plan; the requirement to provide storm water management plan; and an erosion and sediment action plan. Ms. Wissler noted, in addition to the three requested waivers, that there were also two site-specific comments and four general comments.

Ms. Wissler noted that Mr. Jeff Staub was present on behalf of the plan. .

Mr. Crissman questioned Mr. Staub if he agreed to accept, on behalf of the applicant, the three waiver requests, the two site-specific comments, and the four general conditions. Mr. Staub answered yes.

Mr. Crissman made a motion to approve the Preliminary/final Land Development Plan #05-21 for Benjamin Slotznick Rentals with the following waivers, site specific conditions, and general conditions: 1) Waiver of the requirement to submit a preliminary plan; 2) Waiver of the requirement to submit a storm water management plan; 3) Waiver of the requirement to submit a erosion and sedimentation plan; 4) Provide a scale for the plan; 5) Remove the landscaping and shielding requirements under the “Site Data”; 6) Plan approval shall be subject to providing original seals and signatures on the plan; 7) Plan approval shall be subject to the payment of the engineering review fees; 8) Plan approval shall be subject to DEP’s approval of a Sewage Facilities Planning Module; and 9) Plan approval shall be subject to the payment of fee-in-lieu for one lot at \$1,500.00. Mr. Blain seconded the motion.

The Supervisors were polled as follows: Mr. Crissman – aye, Mr. Blain – aye, Mr. Hornung – aye, Mr. Seeds – aye, and Mr. Hawk – aye.

Preliminary/final subdivision and land development plan for Lot 25, Quail Hollow, Phase III and V

Ms. Moran noted that the purpose of the plan was to re-subdivide Lot 94A, which was formally Lot 125 of Quail Hollow Phase III, from Lot 125, and join Lot 94 A with Lot 94 of Quail Hollow, Phase V. The property was zoned R-1, Low Density Residential District, Steep Slope District, and Flood Plain Conservation District, and consists of 9.17 acres. She noted that the applicant requested a waiver of the requirement to provide a storm water management plan, and an erosion and sedimentation plan.

Ms. Moran noted that in June 2005, the Planning Commission recommended approved of the plan, noting a waiver of the requirement to provide a storm water management plan, and an erosion and sedimentation control plan. In addition, there are two site conditions, and eight general conditions. Ms. Moran noted that staff and Dauphin Engineering's comments were included in the information packet, and Mr. Greg Rosato and Mr. Tim Wakefield, from Act One Consultants, were present to represent the plan.

Mr. Crissman requested Ms. Moran to identify, on the screen, the location of the lot.

Mr. Wakefield noted that he, on behalf of the applicant, accepted the waiver conditions, and site specific and general conditions set forth for the plan.

Mr. Blain made a motion to approve the Preliminary/final Re-subdivision Development Plan for Lot 25, Quail Hollow, Phase III and IV, with the following waivers, site conditions, staff comments, and Dauphin Engineering comments: 1) Waiver of the requirement to provide a stormwater management plan, and an erosion and sedimentation control plan; 2) Removal of the site plan drawing and the sidewalk detail from Sheet FP-1, and provide a revision date; 3) Notation that the in-lot restriction notes #1 and #2 on page FP-1 refer only to Lot 94-A; 3) Provide a dedicatory statement on page FP-1 that reads, "it is hereby certified that the undersigned has legal or equitable title to the land shown and that all roads, streets or rights-of-way (or easements), if dedicated to Lower Paxton Shown hereon, if not previously dedicated, are hereby offered for public use." The third site specific condition was to provide a signature line for the owner; 4) Plan approval shall be subject to Dauphin County Conservation District's review and approval of the Erosion and Sedimentation Control Plan; 5) Plan approval shall be subject to providing original seals and signatures on the plan; 6) Plan approval shall be subject to addressing all comments of Dauphin Engineering; 7) Plan approval shall be subject to the payment of engineering review fees; 8) Plan approval shall be subject to Lower Paxton

Township Sewer Department's review and approval of the sanitary sewer design; 9) Plan approval shall be subject to planning module approval; 10) A Waterway Construction and Encroachment Permit would be required from the Department of Environmental Protection for construction within the 100-year Flood Plain; 11) Plan approval shall be subject to addressing all comments of Dauphin Engineering; 12) The building setback line should be shown, labeled and dimensioned for new Lot 94-A; and 13) The revision of several typos in the "Utility Listing for Lower Paxton Township." Mr. Crissman seconded the motion.

The Supervisors were polled as follows: Mr. Crissman – aye, Mr. Blain – aye, Mr. Hornung – aye, Mr. Seeds – aye, Mr. Hawk – aye.

Improvement Guarantees

Mr. Seeds questioned if some of the requests had been increased due to inflation. Ms. Wissler answered yes. Mr. Hornung questioned if the improvement guarantees that were increased were active for a long time, and he questioned why the projects were taking so long. Ms. Wissler answered that the Improvement Guarantee for Fast Signs was a release. Mr. Hornung specifically questioned the Zimmerman Grove Home request. Ms. Wissler answered that nothing had been started in the Locust Grove, Section L plan, and she did not know why they posted a letter of credit since they have been on a plan extension. Mr. Hornung requested that the original date of posting be included on the form in the future. Ms. Wissler answered that she would add that information to future improvement guarantees.

Gordon A. & Barbara L. Weinberg

Reduction of a letter of credit with PNC Bank. The current amount of \$46,346.30 was decreased to \$5,472.50 with an expiration date of May 7, 2006

Meadowview Village

Reduction of a letter of credit with Commerce Bank. The current amount of \$191,419.25 was decreased to \$113,515.05 with an expiration date of November 30, 2005

Estates of Forest Hills, Phase IV-1

Reduction of a letter of credit with Community Banks. The current amount of \$29,150.00 was decreased to \$2,750.00 with an expiration date of April 12, 2006

Willow Brook, Phase I & II

Extension and increase in a letter credit with Fulton Bank. The current amount of \$338,322.00 was increased to \$372,154.20 with an expiration date of June 5, 2006

Locust Grove, Section L

Extension and increase in a letter of credit with Mid Penn Bank. The current amount of \$8,457.90 was increased to \$9,303.69 with an expiration date of June 5, 2006.

KBI

Release of an escrow account from Lower Paxton Township. The current amount of funds to be released is in the amount of \$18,765.18.

Fast Signs

Release of an escrow account from Lower Paxton Township. The current amount of funds to be released is in the amount of \$440.00

Calvary United Methodist Church

Establishment of a letter of credit with Community Bank. The amount of the improvement guarantee is \$46,288.00, with an expiration date of May 16, 2005.

Mr. Crissman made a motion to approve the improvement guarantees as presented. Mr. Crissman seconded the motion, and the motion passed unanimously.

Payment of Bills

Mr. Seeds made a motion to pay the bills of Lower Paxton Township and the bills of the Lower Paxton Township Authority. Mr. Crissman seconded the motion, and the motion passed unanimously.

Announcements

Mr. Hawk thanked Sam Short and his mother for attending the meeting as part of his Boy Scout project.

Mr. Hawk stated, that prior to the meeting the Board met in executive session to discuss the Wal-Mart issue and other minor Township administrative matters.

Adjournment

Mr. Crissman made a motion to adjourn. Mr. Blain seconded the motion. The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Maureen Heberle

Approved by,

Gary A. Crissman
Township Secretary